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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|-------------------------|------------------------|
| 10/788,486 | 03/01/2004 | Shigehiko Suzuki | 1614.1387 | 9025 |
| 21171 7590 01/09/2008 STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005 | | | EXAMINER WU, YICUN | |
| | | | ART UNIT 2165 | PAPER NUMBER |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/788,486

Applicant(s)

SUZUKI ET AL.

Examiner

Yicun Wu

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-9,11-17,19-33 and 35-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-9,11-17,19-33 and 35-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |



III. DETAILED ACTION

1. Claims 1, 3-9, 11-17, 19-33 and 35-41 are presented for examination.

Response to Applicant' Remarks

Applicant argues:

- 1) "not receiving a contribution from user"
- 2) "a reference range" ... "this is not the case..."

Examiner disagree.

With respect to the 1st argument, Examiner asserts that ("range of properties can be defined". Page 17, section properties and property sets. And "to specify". Page 15, section content retrieval) read on applicant's contribution receiving part. The defining process is considered contribution from users. As to the argument of "user contributions could be, for instance, "electronic mails or web contributions", Examiner asserts that Applicant did not claim "electronic mails or web contributions" in Applicant's claims, therefore, examiner believes that BEA does teach Applicant's invention. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

With respect to the 2nd argument, Examiner asserts that (i.e. what content gets delivered based on individual user profiles. Page 14, section what is personalization) read on applicant's contribution receiving part. Other arguments are similarly answered as above.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3-9, 11-17, 19-33 and 35-41 are rejected under 35 U.S.C. 102(b) as being anticipated by BEA, Product Family Overview, July 02, 2001, pages 124 and hereinafter referred to as BEA.

As to claims 1,9,17,25 and 33, BEA teaches an information reference apparatus comprising:

a reference information storage part storing predetermined reference information (i.e., a user profile on a Personalization server) (page 14);

a reference range defining information storage part storing predetermined reference range defining information (i.e., in a property set for an individual user or a user group, where properties can be set to define a valid range e.g., to retrieve content based on the valid range from a content provider e.g., a database) (page 15; page 17); and

a reference range defining part referring to the reference range (i.e. what content gets delivered based on individual user profiles. Page 14, section what is personalization) defining information stored for a user by said reference range defining information storage part (i.e.

profile. Page 14, section what is personalization) and defining a range of the reference information stored by said reference information storage part, in which range the reference information is available for the user to refer to (Page 14, section what is personalization);

a contribution receiving part receiving a contribution from a user (i.e. “range of properties can be defined”. Page 17, section properties and property sets. And “to specify”. Page 15, section content retrieval) storing the contribution in said reference information storage part (Page 17, section properties and property sets. and Page 15, section content retrieval).

As to claims 3, 11,19, 27 and 35, BEA teaches

an authenticating part allowing a user to refer to the reference information (i.e. activities customers can perform after they register. Page 13) after an authentication of the user is normally finished (“you must also require customers to log into your site with a username/password combination” page 13).

As to claims 4, 12, 20, 28 and 36, BEA teaches

a search range defining part responsive to a search request from a user's apparatus for referring to the reference range defining information from said reference range defining information storage part, and thereby defining a range of the reference information, in which range the reference information is available for the search (i.e. matches users with content. And personalized content for that user. page 13).

As to claims 5,13,21,29 and 37, BEA teaches

an URL management part registering an URL (i.e. HTML content. Page 18) for each user, and being responsive to an URL reference request sent from a user's apparatus via a communication network for returning to the apparatus, information of URL previously registered for the relevant user (personalized content for that user. page 13).

As to claims 6,14,22,30 and 38, BEA teaches that each user is given an attribute, and a user who makes a contribution is allowed to define (i.e. specify. Page 15) a range of users who are allowed to refer to information included in the contribution, by designating the attribute thus given to the users (pages 15 and 18).

As to claims 7,15,23,31 and 39, BEA teaches a referred information managing part storing information for determining whether or not an item of the reference information has been already referred to by a specific user (i.e. maintain and administer users and groups. Page 18), and enabling said specific user to determine that the item of reference information has been already referred to by himself or herself with a use of the thus-stored information, upon receiving a reference request from the specific user (page 18).

As to claims 8,16,24,32 and 40, BEA teaches that the reference range defining information comprises information designating, for each item of the reference information(i.e. maintain and administer users and groups. Page 18),

a range of users who are allowed to refer thereto(i.e. maintain and administer users and groups. Page 18),

a determination as to whether or not each item of the reference information is available for a particular user being made by determining whether or not an attribute set for the particular user is included in said range of users (i.e. matches users with content. Page 15) designated for said item of the reference information (page 18).

3. As to claim 41, the limitations of this claims have been noted in the rejection above. They are therefore rejected as set forth above.


Points of contact

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yicun Wu whose telephone number is 571-272-4087. The examiner can normally be reached on 8:00 am to 4:30 pm, Monday -Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Yicun Wu
Patent Examiner
Technology Center 2100



January 3, 2008